

DEC 09 2004

MODIFIED PTUS251 (07-01)

REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number Q79454

I hereby declare that:

Each inventor's residence, mailing address and citizenship are stated below next to their name.

I believe the inventors named below to be the original and first inventor(s) of the subject matter which is described and claimed in patent number 6,340,551, granted January 22, 2002 and for which a reissue patent is sought on the invention entitled

POSITIVE TYPE PHOTOSENSITIVE IMAGE-FORMING MATERIAL FOR USE WITH AN INFRARED LASER

the specification of which

☐ is attached hereto.

☒ was filed on January 21, 2004 as reissue application number 10/761,099

January 21 and 22, 2004, via Preliminary Amendment and
and was amended on Supplemental Preliminary Amendment, respectively
(if applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

☒ I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is a list of foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

One error upon which this reissue application is based is that the patentee claimed less than the patentee had a right to claim.

Specifically, each of the claims of U.S. Patent No. 6,340,551 requires layer (A) of the positive type photosensitive image-forming material to contain not less than 50% by weight of a copolymer which contains, as a copolymerization component, not less than 10% by mol of at least one of monomers (a-1) through (a-3).

New independent Claim 49 is broader than any claim of U.S. Patent No. 6,340,551 in that it does not require layer (A) to contain at least one of monomers (a-1) through (a-3).

All errors being corrected in this reissue application up to the date of filing of this declaration arose without any deceptive intention on the part of the applicant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name) Hideo MIYAKE	
Inventor's signature <i>Hideo Miyake</i>	Date 11/19/2004
Residence Shizuoka, Japan	Citizenship Japan
Mailing Address c/o Fuji Photo Film Co., Ltd., 4000, Kawashira, Yoshida-cho, Haibara-gun, Shizuoka, Japan	
Full name of second joint inventor (given name, family name) Ikuo KAWAUCHI	
Inventor's signature <i>Ikuo Kawauchi</i>	Date 11/19/2004
Residence Shizuoka, Japan	Citizenship Japan
Mailing Address c/o Fuji Photo Film Co., Ltd., 4000, Kawashira, Yoshida-cho, Haibara-gun, Shizuoka, Japan	
<input type="checkbox"/> Additional joint inventors or legal representative(s) are named on separately numbered sheets attached hereto.	



PTO/SB/53 (05-03)

REISSUE APPLICATION: CONSENT OF ASSIGNEE; STATEMENT OF NON-ASSIGNMENT		Docket Number Q79454
This is part of the application for a reissue patent based on the original patent identified below.		
Name of Patentee(s) Fuji Photo Film Co., Ltd.		
Patent Number 6,340,551 (divisional of 09/173,719 now USP 6,573,022)	Date Patent Issued January 22, 2002	
Title of Invention POSITIVE TYPE PHOTSENSITIVE IMAGE-FORMING MATERIAL FOR USE WITH AN INFRARED LASER		
<p>1. <input checked="" type="checkbox"/> Filed herein is a statement under 37 CFR 3.73(b). (Form PTO/SB/96)</p> <p>2. <input type="checkbox"/> Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.</p> <p>One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".</p> <p>The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.</p>		
The assignee(s) owning an undivided interest in said original patent is/are		Fuji Photo Film Co., Ltd.
and the assignee(s) consents to the accompanying application for reissue.		
Name of assignee/inventor (if not assigned) FUJI PHOTO FILM CO., LTD.		
Signature <i>Kazuyoshi Hoshi</i>	Date February 13, 2004	
Kazuyoshi HOSHI, Senior Technical Associate, Intellectual Property Division		
Typed or printed name and title of person signing for assignee (if assigned)		

Docket Number Q79454

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Fuji Photo Film Co., Ltd.Application No./Patent No.: 6,340,551 (divisional of 09/173,719 now USP 6,573,022) Filed/Issue Date: January 22, 2002POSITIVE TYPE PHOTOSENSITIVE IMAGE-FORMING MATERIAL FOR USE WITH AN INFRAREDEntitled: LASERFUJI PHOTO FILM CO., LTD., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____%

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in parent application 09/173,719, now USP 6,573,022, in the United States Patent and Trademark Office at Reel 9527, Frame 0506, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

February 13, 2004

Date

8143-6418-9167

Telephone number

Kazuyoshi HOSHI

Typed or printed name

Kazuyoshi Hoshi

Signature

Senior, Technical Associate,
Intellectual Property Division

Title